

DUMONT JOINT LAND USE BOARD MINUTES FOR JUNE 29, 2010 MEETING

Flag Salute

SESSION: This is a meeting of the Joint Land Use Board, of the Borough of Dumont, held in the Council Chambers.

**June 29, 2010
7:30 PM**

SUNSHINE LAW: This meeting is a regularly scheduled meeting of the Joint Land Use Board, of The Borough of Dumont, held in the Council Chambers on June 29, 2010. The date, time, and location were established by the resolution of the Board. A copy of the resolution was forwarded to *The Record* and the *Ridgewood News*, the official newspapers of the Borough of Dumont, filed with the Borough Clerk and posted in the Borough Hall of the Borough of Dumont. All notice requirements of the Open Public Meetings Act of the State of New Jersey have been fulfilled.

ROLL CALL:

Thomas Trank	P	Marian Reitano	A	Kenneth Freeman	P
Elizabeth Marchese	A	Ken Melamed	P	Robert Huth	A
Eric Abrahamsen	A	William Goodman	P	Irwin Buchheister Alt # 1	A
Elmer Pacia Alt # 3	P	Chairman Timothy Hickey	A		

Others: Board Attorney – Kaufman, Bern, Deutsch & Leibman: Marc Leibman-P
Board Engineer – Birdsall Engineering: Chas Holloway-P
Board Planner – Neglia Engineering: Dan Kaufman-NA
Board Clerk - Rosalia Bob-P

- In lie of either Chairman Timothy Hickey or Vice Chairman Elizabeth Marchese being present, Secretary Ken Melamed stepped in as Chairman for the meeting.

BUSINESS: Review and Approval of Business Professional Invoices

This item was tabled till the next meeting on July 27, 2010.

BUSINESS: Approval of May 2010 Minutes

This item was tabled till the next meeting on July 27, 2010.

RESOLUTION: Approval of Birdsall Engineering as Board Engineer
Motion to Approve: Thomas Trank

2nd by: William Goodman

ROLL CALL:

Thomas Trank	Y	Marian Reitano	NA	Kenneth Freeman	Y
Elizabeth Marchese	NA	Ken Melamed	Y	Robert Huth	NA
Eric Abrahamsen	NA	William Goodman	Y	Irwin Buchheister Alt # 1	NA
Elmer Pacia Alt # 3	Y	Chairman Timothy Hickey	NA		

Motion Approved: 5 – 0

FORMAL: 10-01 Borough Property 269 Washington Avenue
Block- 907, Lot- 29
Borough owned subdivision / site plan approval

The attorney for the Borough of Dumont, Gregg Paster begins by explaining the scope of the application. He explains that during the County Road Project in conjunction with the Senior Housing Project the town had acquired additional residential properties and established through negotiations new town easements along the roadways. Gregg Pastor explains that with one residential house being demolished a new corner house on Virginia and Washington Avenue was established. He further details that the new corner property had given some of their front yard property to the town in order to widen Washington Avenue. Gregg Paster states that the town wishes to subdivide some of their acquired property on Virginia Avenue and gift a portion to the corner residence to give the homeowners a new driveway access.

Gregg Paster calls his witness who is the engineer for the county road project, Brian Intindola license engineer with Neglia Engineering Traffic Division. Brian Intindola explains to the board that he did the plans for both the street project for the town and also did the subdivision plan for this application. He shows the flag portion of the property from Virginia Avenue into the homeowner's lot and explains that the land given will preserve the property owner's setbacks. The board attorney, Marc Leibman asks if any new lots will be created. Gregg Paster explained that they will subdivide a lot and merge a lot. He details that the town will subdivide the portion out of lot 29 and merge that piece into lot 30. Gregg Paster states that there will be new meets and bounds established for lot 29, the Borough's lot and the town will gift the land portion to the homeowner at lot 30 and then create new meets and bounds for this property as well so that all can be recorded in the property deeds. Thomas Trank states that the drawing does not indicate the driveway connecting to the lot. Gregg Paster submits into evidence the Minor Subdivision Plan as A1 and asks the Neglia Engineering representative to show on the plans where the driveway will be. Elmer Pacia questions the existing driveway on Washington Avenue and if it will be closed off. Gregg Paster states that the homeowner wants their front driveway to still be used and it has been explained to them that the front driveway is closer to the resident's house and they prefer to still access it. The board engineer, Chas Holloway discusses with Gregg Paster in detail on exactly how the subdivision will be recorded, the property gifted and the need for the building envelope

revision. Gregg Paster explains that the borough did ask the homeowner if they wanted to purchase the property but that there has been no discussions on the acquisition. The town decided to gift the property to the homeowner since the town did not pay them for the property acquired for the new front yard easement so it was a swap, the driveway for the easement. Brian Intindola details the exact amount of property swap and indicates that it is close to even. Chas Holloway discusses reducing the map and attaching it to the deeds. Elmer Pacia asks if there will be any restrictions on the homeowners to not make a cut throw on their property for an access throw pass. The board members were polled and it was in the majority to have a condition placed for no access throw pass. Gregg Paster explains that he doesn't see the property owner wanting to do something like this across their property so he will agree to the condition on the resolution. Marc Leibman states that they will include on the resolution no vehicular connection on the property to both driveways. Chas Holloway requests that the board engineer be a part of the review process for the building envelope revision and the deed review along with the attorneys. Gregg Paster gives his closing arguments to the board. Marc Leibman opens and closes the hearing to the public. Chairman Ken Melamed calls for a motion from the board.

Motion to Approve with conditions: Thomas Trank
2nd by: William Goodman

ROLL CALL:

Thomas Trank	Y	Marian Reitano	NA	Kenneth Freeman	A
Elizabeth Marchese	NA	Ken Melamed	Y	Robert Huth	NA
Eric Abrahamsen	NA	William Goodman	Y	Irwin Buchheister Alt # 1	NA
Elmer Pacia Alt # 3	Y	Chairman Timothy Hickey	NA		

Motion Approved: 4 – 0

Motion to Adjourn: Ken Melamed
2nd by: Elmer Pacia

Minutes respectfully submitted by:
Rosalia Bob
Joint Land Use Board Clerk